



Senate

General Assembly

File No. 566

January Session, 2017

Substitute Senate Bill No. 955

Senate, April 12, 2017

The Committee on Education reported through SEN. SLOSSBERG of the 14th Dist. and SEN. BOUCHER of the 26th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING STATE ASSISTANCE TO CERTAIN UNDERPERFORMING SCHOOL DISTRICTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2017*) (a) The State Board of
2 Education may appoint a school or district improvement officer for
3 any school designated as low achieving, pursuant to subdivision (1) of
4 subsection (e) of section 10-223e of the general statutes, as amended by
5 this act, or any educational reform district, as defined in section 10-
6 262u of the general statutes, as applicable, except the state board shall
7 not appoint a school or district improvement officer for any such low
8 achieving school or educational reform district whose accountability
9 index, as defined in section 10-223e of the general statutes, as amended
10 by this act, has improved significantly over the previous three school
11 years. The school or district improvement officer shall be an individual
12 (1) with a demonstrated record of success in improving low
13 performing schools or the academic performance of disadvantaged
14 students, and (2) who is properly certified as a superintendent

15 pursuant to chapter 166 of the general statutes or is granted a waiver in
16 accordance with the provisions of section 10-157 of the general
17 statutes. The school or district improvement officer shall (A) have full
18 managerial and operational control over the low achieving school or
19 educational reform district to implement the improvement plan,
20 described in subparagraph (H) of subdivision (2) of subsection (e) of
21 section 10-223e of the general statutes, as amended by this act, (B)
22 work collaboratively with the local or regional board of education to
23 implement the provisions of the improvement plan, and (C) be
24 responsible for meeting the goals of the improvement plan. The
25 improvement plan may include, but need not be limited to, any of the
26 actions described in subparagraphs (A), (C) to (F), inclusive, (I), (J), (L)
27 and (M) of subdivision (2) of subsection (e) of section 10-223e of the
28 general statutes, as amended by this act. The Commissioner of
29 Education shall settle any disputes between the school or district
30 improvement officer and the local or regional board of education
31 relating to the implementation of the improvement plan. The school or
32 district improvement officer shall submit a written report to the State
33 Board of Education and the local or regional board of education on a
34 quarterly basis to provide information regarding the progress of the
35 implementation of the improvement plan.

36 (b) (1) The Commissioner of Education shall annually evaluate each
37 low achieving school or educational reform district for which a school
38 or district improvement officer has been appointed to determine if the
39 low achieving school or educational reform district has met the goals
40 of the improvement plan and to assess the implementation of the
41 improvement plan. The commissioner shall submit a written report of
42 such evaluation to the State Board of Education, the district
43 improvement officer and the local or regional board of education.

44 (2) If, after conducting an annual evaluation, the commissioner
45 determines that the low achieving school or educational reform district
46 has not met one or more goals of the improvement plan, the
47 commissioner may require the school or district improvement officer
48 to modify the improvement plan. If the commissioner determines that

49 the low achieving school or educational reform district has
50 substantially failed to meet multiple goals in the improvement plan,
51 the commissioner may terminate the contract of the school or district
52 improvement officer.

53 (3) Upon expiration of the contract of the school or district
54 improvement officer, the commissioner shall conduct a review of the
55 low achieving school or educational reform district to determine if the
56 low achieving school or educational reform district has improved
57 sufficiently, requires additional improvement or has failed to improve.
58 If the commissioner determines that the low achieving school or
59 educational reform district has improved sufficiently or requires
60 additional improvement, the commissioner may renew the contract of
61 the school or district improvement officer for an additional period not
62 to exceed three years or return full managerial and operational control
63 over the low achieving school or educational reform district to the local
64 or regional board of education.

65 Sec. 2. Subsection (e) of section 10-223e of the general statutes is
66 repealed and the following is substituted in lieu thereof (*Effective July*
67 *1, 2017*):

68 (e) (1) (A) Any school or school district identified as in need of
69 improvement pursuant to subdivision (1) of subsection (b) of this
70 section and requiring corrective action pursuant to the requirements of
71 the No Child Left Behind Act, P.L. 107-110, shall be designated and
72 listed as a low achieving school or school district and shall be subject
73 to intensified supervision and direction by the State Board of
74 Education.

75 (B) Any school classified as a category four school or category five
76 school or a school designated as a focus school shall be designated as
77 low achieving and shall be subject to intensified supervision and
78 direction by the State Board of Education.

79 (2) Notwithstanding any provision of this title or any regulation
80 adopted pursuant to said title, except as provided in subdivision (3) of

81 this subsection, in carrying out the provisions of subdivision (1) of this
82 subsection and this subdivision, the State Board of Education shall take
83 any of the following actions to improve student performance of the
84 school district, a particular school in the district or among student
85 subgroups, and remove the school or district from the list of schools or
86 districts designated and listed as a low achieving school or district
87 pursuant to said subdivision (1), and to address other needs of the
88 school or district: (A) Require an operations audit to identify possible
89 programmatic savings and an instructional audit to identify any
90 deficits in curriculum and instruction or in the learning environment of
91 the school or district; (B) require the local or regional board of
92 education for such school or district to use state and federal funds for
93 critical needs, as directed by the State Board of Education; (C) provide
94 incentives to attract highly qualified teachers and principals; (D) direct
95 the transfer and assignment of teachers and principals; (E) require
96 additional training and technical assistance for parents and guardians
97 of children attending the school or a school in the district and for
98 teachers, principals, and central office staff members hired by the
99 district; (F) require the local or regional board of education for the
100 school or district to implement model curriculum, including, but not
101 limited to, recommended textbooks, materials and supplies approved
102 by the Department of Education; (G) identify schools for
103 reconstitution, as may be phased in by the commissioner, as state or
104 local charter schools, schools established pursuant to section 10-74g,
105 innovation schools established pursuant to section 10-74h, or schools
106 based on other models for school improvement, or for management by
107 an entity other than the local or regional board of education for the
108 district in which the school is located; (H) direct the local or regional
109 board of education for the school or district or the school or district
110 improvement officer, appointed pursuant to subparagraph (N) of this
111 subdivision, to develop and implement [a] an improvement plan
112 addressing deficits in achievement and in the learning environment as
113 recommended in the instructional audit; (I) assign a technical
114 assistance team to the school or district to guide school or district
115 initiatives and report progress to the Commissioner of Education; (J)

116 establish instructional and learning environment benchmarks for the
 117 school or district to meet as it progresses toward removal from the list
 118 of low achieving schools or districts; (K) provide funding to any
 119 proximate district to a district designated as a low achieving school
 120 district so that students in a low achieving district may attend public
 121 school in a neighboring district; (L) direct the establishment of learning
 122 academies within schools that require continuous monitoring of
 123 student performance by teacher groups; (M) require local and regional
 124 boards of education to (i) undergo training to improve their
 125 operational efficiency and effectiveness as leaders of their districts'
 126 improvement plans, and (ii) submit an annual action plan to the
 127 Commissioner of Education outlining how, when and in what manner
 128 their effectiveness shall be monitored; (N) require the appointment of
 129 (i) a superintendent, approved by the Commissioner of Education, or
 130 (ii) a district improvement officer, selected by the commissioner,
 131 whose authority is consistent with the provisions of [section 138 of
 132 public act 11-61] section 1 of this act, and whose term shall be for [one]
 133 three school [year] years, except that the State Board of Education may
 134 extend such period; or (O) any combination of the actions described in
 135 this subdivision or similar, closely related actions.

136 (3) If a directive of the State Board of Education pursuant to
 137 subparagraph (C), (D), (E), (G) or (L) of subdivision (2) of this
 138 subsection or a directive to implement a plan pursuant to
 139 subparagraph (H) of said subdivision (2) affects working conditions,
 140 such directive shall be carried out in accordance with the provisions of
 141 sections 10-153a to 10-153n, inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	New section
Sec. 2	July 1, 2017	10-223e(e)

Statement of Legislative Commissioners:

In Sections 1 and 2, "district improvement officer" was renamed "school or district improvement officer" for accuracy.

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Education, Dept.	GF - Potential Cost	150,000 - 175,000	150,000 - 175,000

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 18 \$	FY 19 \$
Low Performing Local and Regional School Districts	Potential Cost	See Below	See Below

Explanation

The bill codifies the authority of a school improvement officer, and permits the State Board of Education (SBE) to appoint an improvement officer for a low achieving district. If SBE chooses to appoint an improvement officer, the State Department of Education would require additional funding of \$150,000 - \$175,000 based on previous special master and receivership appointments.

Additionally, the bill could result in a potential cost to low performing local and regional boards of education if 1) SBE opts to appoint a school improvement officer to the district and 2) the designated improvement officer chooses to take one of the actions authorized under bill, which would yield an additional cost. The impact to local and regional school districts would depend on the actions selected by the improvement officer.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 955*****AN ACT CONCERNING STATE ASSISTANCE TO CERTAIN UNDERPERFORMING SCHOOL DISTRICTS.*****SUMMARY**

This bill codifies the authority, with some modifications, of a district improvement officer, whom the State Board of Education (SBE) may appoint to manage and operate a low-performing school district. The current statute that allows SBE to make such an appointment refers to the district improvement officer's powers as defined in a special act provision of PA 11-61 (§ 138). Thus, this bill places the powers in statute.

The bill changes an officer's authority so the person may be placed in charge of a school or a school district and, therefore, changes the officer's title to "school or district improvement officer" (thereinafter, "improvement officer"). The bill adds specifics about when an officer's term may be renewed and expands an officer's initial term from one to three school years.

It also makes conforming and technical changes.

EFFECTIVE DATE: July 1, 2017

SCHOOL OR DISTRICT IMPROVEMENT OFFICER

Under the bill, SBE may appoint an improvement officer for any school designated as low achieving under state law or any educational reform district (i.e., the bottom 10 districts when ranked by the accountability index) (see BACKGROUND). However, the bill prohibits SBE from appointing an improvement officer for a school or district whose accountability index has improved significantly over the previous three school years. (Since only two years of accountability

index scores are available, as it is a new measure, presumably, this provision does not become effective for two more years).

Improvement Officer Qualifications

The bill requires the improvement officer to be someone (1) with a demonstrated record of success in improving (a) low-performing schools or (b) the academic performance of disadvantaged students and (2) who is a certified superintendent or granted a waiver under state law.

Improvement Officer Powers and Duties

Under the bill, the improvement officer:

1. is given full managerial and operational control over the school or district to implement an improvement plan that addresses problems in student achievement and in the learning environment,
2. must work collaboratively with the local or regional board of education ("local board") to implement the provisions of the improvement plan, and
3. is responsible for meeting the goals of the improvement plan.

Under current law, the improvement officer must also (1) work cooperatively with the district's superintendent and (2) report regularly to the SBE on the effectiveness of the superintendent and the local board. The bill does not include these duties.

Also under current law, the improvement officer and SBE are granted access to all records, facilities, communications, and meetings, including executive sessions of the local board and including teacher evaluation records, that may be relevant to implementing the improvement officer's duties. The bill does not grant this access.

Improvement Plan

The bill authorizes the improvement officer to include any of the following actions in an improvement plan:

1. require an operations audit to identify possible program savings and an instructional audit to identify problems with the school's or district's curriculum and instruction or learning environment;
2. provide incentives to attract highly qualified teachers and principals;
3. direct the assignment and transfer of teachers and principals;
4. require additional training and technical assistance for the school's or district's teachers, principals, and central office staff and for students' parents and guardians;
5. require implementation of model curriculum, including recommended textbooks, material, and supplies approved by the State Department of Education (SDE);
6. assign a technical assistance team to guide school or district initiatives and report to the education commissioner on its progress;
7. establish instructional and learning environment benchmarks for the school or district to meet;
8. direct the establishment of learning academies within schools that require teacher groups to continuously monitor student learning; and
9. require the local board members to (a) undergo training to improve the board's operational efficiency and effectiveness in leading the improvement plan and (b) submit an annual action plan to the education commissioner that outlines how and when its effectiveness is to be monitored.

The improvement officer must submit a written report to SBE and the local board on a quarterly basis to provide information regarding the improvement plan's progress.

Disputes between Improvement Officer and Board of Education

The education commissioner must settle any disputes between the improvement officer and the local board relating to the implementation of the improvement plan.

Evaluation of the Improvement Officer

The bill requires the education commissioner to annually evaluate each school or district that has an improvement officer to (1) determine if the school or district has met the goals of the improvement plan and (2) to assess the implementation of the improvement plan. The commissioner must submit a written report on the evaluation to SBE, the improvement officer, and the local board.

If, after conducting an annual evaluation, the commissioner determines that the school or district has not met one or more goals of the improvement plan, she may require the improvement officer to modify the improvement plan. If she determines that the school or district has substantially failed to meet multiple goals in the plan, she can terminate the improvement officer's contract.

Under the bill, when the improvement officer's contract expires, the commissioner must conduct a review of the school or district to determine if it has (1) improved sufficiently, (2) requires additional improvement or (3) has failed to improve. If it has improved sufficiently or requires additional improvement, the commissioner may (1) renew the improvement officer's contract for a period not to exceed three years or (2) return full managerial and operational control of the school or district to the local board. (The bill does not provide guidance regarding what the commissioner may do in the case where she had determined that the school or district has failed to improve.)

BACKGROUND***Low Achieving Schools***

By law, a low-performing school is one that is designated as (1) a category four or five school, which means it is among the lowest in the state when schools are ranked by the accountability index, or (2) a

focus school, which means that the school may have a strong accountability index score, but it has high needs students, such as English language learners or low-income students, who are not performing as well as the overall student body (i.e., an achievement gap). State law requires SDE to annually prepare an education performance plan that identifies low-achieving districts; classifies schools as category one, two, three, four, or five; and identifies focus schools (CGS § 10-223e(a) & (b)(3)).

Accountability Index

By law, the accountability index score measures a school or a district based on its student scores on state tests plus various other measures, including academic growth from one year to the next, graduation rates, chronic absenteeism rates, postsecondary education and career readiness, civics and arts education, and other factors (CGS § 10-223e(a)).

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/22/2017)